



CITY OF ROWLETT CITY COUNCIL MINUTES

Our Vision: A well-planned lakeside community of quality neighborhoods, distinctive amenities, diverse employment, and cultural charm. Rowlett: THE place to live, work and play.

Tuesday, April 5, 2022

5:00 P.M.

Municipal Building

As authorized by Section 551.071 of the Texas Government Code, this meeting may be convened into closed Executive Session for the purpose of seeking confidential legal advice from the City Attorney on any agenda item herein.

The City of Rowlett reserves the right to reconvene, recess or realign the Regular Session or called Executive Session or order of business at any time prior to adjournment.

Present: Mayor Pro Tem Grubisich, Deputy Mayor Pro Tem Sherrill, Councilmember Margolis, Councilmember Laning, Councilmember Bell and Councilmember Brown

1. CALL TO ORDER

Mayor Pro Tem Grubisich called the meeting to order at 5:00 p.m.

2. EXECUTIVE SESSION

- 2A.** The City Council shall convene into Executive Session pursuant to Texas Government Code, §551.071 (Consultation with City Attorney), to seek legal advice from the City Attorney regarding the proposed zoning change by Jackson Shaw for a commercial/industrial planned development project east of the President George Bush Turnpike and north of Liberty Grove Road. (30 minutes)

In Executive Session at 5:01 p.m. Out at 5:22 p.m.

3. WORK SESSION (5:30 P.M.)* Times listed are approximate.

City Council may receive public input on the following items:

3A. Joint meeting of Library Advisory Board and Council. (30 minutes)

For lack of a quorum, their portion of the meeting was not called to order and Vicki Stallcup-Causey, Board Chair, along with Laura Tschoerner, Director of Library Services, presented the highlights for the Board and their work with the Library during COVID, 2021 and activities thus far this year; 2021 statistics and program highlights; and recent Library innovations.

3B. Receive a presentation and discuss proposed amendments to Section 77-508 of the Rowlett Development Code regarding residential building standards. (30 minutes)

Public input received from: Debra Shinder, Rowlett.

Alex Koenig, Planning and Urban Design Manager, along with Munal Mauladad, Managing Director of Community Development and Engineering Services, outlined the proposed amendments keeping in line with state law and current development trends and outlined the process and timeline for update. After further discussion, it was the consensus of Council to move forward with the process.

- 3C.** Receive a presentation and discuss proposed modifications to the public hearing notification process. (30 minutes)

Public input received from: Debra Shinder, Rowlett.

Mr. Koenig reviewed the current process for notifications, goals for the review and update, and the proposed changes. After further discussion, it was the consensus of Council to move forward with the process.

- 3D.** Discuss a proposal approving a list of projects for Waterview Golf Club for an estimated amount of \$37,350. (30 minutes)

Angela Smith, Deputy City Manager, reviewed the long-range maintenance plan, the tree management plan and provided a list of previously submitted projects proposed by the Golf Advisory Board along with two more requested projects. After further discussion, it was the consensus of Council to support the drainage project. Staff will work with American Golf Corporation and the consultant for prioritization of projects.

4. DISCUSS CONSENT AGENDA ITEMS

After a short break at 6:42 p.m., Council reconvened at 7:30 p.m.

INVOCATION – Thomas Oyebisi, Redeemed Christian Church of God

PLEDGES OF ALLEGIANCE

CONVENE REGULAR SESSION (7:30 P.M.)* Times listed are approximate.

5. PRESENTATIONS AND PROCLAMATIONS

- 5A.** Presentation of Proclamation recognizing April as Volunteer Appreciation Month.

Presented by Councilmember Brown.

- 5B.** Presentation recognizing the annual Volunteer Award recipients for 2021.

Presented by Mayor Pro Tem Grubisich and City Manager Brian Funderburk

Platinum Award – Frank Merriman

Diamond Award – Oznell “Ozzie” Cutter

Volunteer of the Year – Rowlett Public Library's GED Tutoring Team

Richard Huff Service Award – Stephen Causey

- 5C.** Presentation of proclamation recognizing the week of April 10-16, 2022 as National Public Safety Telecommunicators Week.

Presented by Deputy Mayor Pro Tem Sherrill to Police Communications Staff Member Remy Manukian, Lt. Steve Ferrie and Assistant Police Chief Dan Miller.

- 5D.** Presentation of a proclamation recognizing the week of April 10-16, 2022, as Autism Awareness Week in the City of Rowlett on the behalf of the Rowlett Diversity Equity and Inclusion Commission (RDEIC) and requesting the lighting of the water tower in blue during this week.

Presented by Councilmember Bell to members of the RDEIC and residents Myranda Congi and Barbara Fernandes. Ms. Fernandes announced that there will be a new “communication board” located at Kids Kingdom Park to help facilitate communication and play for children who have limited communication abilities.

- 5E.** Update from the City Council and Management: Financial Position, Major Projects, Operational Issues, Upcoming Dates of Interest and Items of Community Interest.

Councilmember Margolis made the following announcements:

The Rowlett Chamber of Commerce will be hosting a candidate forum for an in-person opportunity to hear candidate platforms and ask questions of those running for the four Councilmember positions on Monday, April 11th. This will be broadcast live on Facebook. The recording of last night’s Mayoral candidate forum is available to view.

You have two more days to register to vote or update your information in order to be eligible to vote for the May 7th election.

Lunch on the Lawn is back! One of our most popular events is held Mondays from 11-2. Each week, a variety of food trucks will be located downtown.

Get ready for an Eggstraordinary day of fun this Saturday – the Easter Eggstravaganza at Pecan Grove Park and then Pup-a-Palooza at Scentral Bark Dog Park. Along with leashes, registration and proof of rabies vaccination is required.

Neighborhood Planning is now accepting nominations for the Spring Yard of the Season and applications for the Texas Smart Yard award through April 11th.

For more information on these and all other City-related events, please visit Rowlett.com or call the Action Center at 972-412-6100.

Councilmember Brown announced the following Keep Rowlett Beautiful (KRB) events:

- Electronics Recycling/Shredding Event – Saturday, April 9th @ Rowlett High School, 9 a.m. – 1 p.m.
- Earth Day Celebration – Friday, April 22nd Village Green Downtown from 6 – 9 p.m.

6. CITIZENS' INPUT

1. Dave Holl, Rowlett; economic incentives
2. Debra Shinder, Rowlett; volunteers

Mayor Pro Tem Grubisich read comments from the following received via email:

1. Gale Roberge, Rowlett; Item 7G
2. Terry Millican, Rowlett; City issues and zoning

7. CONSENT AGENDA

7A. Consider approving the minutes.

Consider action to approve minutes from the following City Council meeting(s): March 15, 2022 Meeting.

This item was approved on the Consent Agenda.

7B. Consider a resolution approving a contract for pavement analysis.

Consider action to approve a resolution approving the engagement of H2O Partners/Roadway Asset Services (RAS) for the total amount of \$128,998 to perform a Pavement Assessment for the City of Rowlett, to include capturing 360-degree photos of all City Streets and Alleys, capturing City assets in the right-of-way, and providing GIS layers of all information captured.

This item was approved on the Consent Agenda as RES-024-22.

7C. Consider a resolution approving a depository and merchant services.

Consider an action to approve a resolution authorizing the City Manager to negotiate and execute an agreement for Depository Bank and Merchant Bank Services with American National Bank of Texas, subject to City Attorney approval.

This item was approved on the Consent Agenda as RES-025-22.

7D. Consider a resolution approving a renewal for Section III mowing services.

Consider action to approve a resolution exercising the second of four one-year renewal options for Parks and Recreation Section III mowing services to DD Commercial Landscape in the unit amounts bid in an estimated annual amount of \$131,708.25.

This item was approved on the Consent Agenda as RES-026-22.

7E. Consider a resolution approving a renewal for Section IV mowing services.

Consider action to approve a resolution exercising the second of four one-year renewal options for Parks and Recreation Section IV mowing services with Good Earth Corporation in the unit amounts bid in an estimated annual amount of \$248,110.

This item was approved on the Consent Agenda as RES-027-22.

7F. Consider a resolution approving the purchase of water meters.

Consider action to approve a resolution for the purchase of 2,840 Sensus brand water meters from Aqua Metric Sales Company in the amount of \$399,446.

This item was approved on the Consent Agenda as RES-028-22.

7G. Consider a resolution approving an Economic Development Incentive Agreement.

Consider action to approve a resolution approving an Economic Development Incentive Agreement with AllofOur Heritage House, LLC, and authorizing the Mayor to execute the agreement on the City's behalf.

This item was approved on the Consent Agenda as RES-029-22.

7H. Consider a resolution approving a contract for traffic signal installation.

Consider action to approve a resolution accepting the bid of and awarding a contract to Roadway Solutions, Inc. in the amount of \$308,325, and authorizing staff to set aside funds for a construction contingency in the amount of \$50,000, and a maximum allowance of up to \$5,000 for an early completion bonus as set forth in the project bidding documents resulting in a total project budget of \$363,325 for the installation of a traffic signal at the intersection of Martin Drive and SH66 (Lakeview Parkway), and authorizing the Mayor to execute the necessary documents for said services.

This item was approved on the Consent Agenda as RES-030-22.

7I. Consider a resolution approving a task authorization for engineering design work.

Consider action to approve a resolution approving Task Authorization FY21-RJN-03-SUPP1 to PO#22100327 in the amount of \$17,618 with RJN Group, Inc. (RJN) for engineering design work associated with the Lakeside Park Restroom Sanitary Sewer Service Line Project and authorizing the Mayor to execute the necessary documents for said services.

This item was approved on the Consent Agenda as RES-031-22.

7J. Consider a resolution approving a task authorization for engineering design work.

Consider action to approve a resolution approving Task Authorization FY22-PK-01 in the amount of \$79,400 with Pacheco Koch Consulting Engineers, LLC (Pacheco Koch) for engineering and landscape architecture design work associated with the Garner/Fuqua Trail Project and authorizing the Mayor to execute the necessary documents for said services.

This item was approved on the Consent Agenda as RES-032-22.

Passed the Consent Agenda

A motion was made by Councilmember Brown, seconded by Deputy Mayor Pro Tem Sherrill, including all the preceding item(s) marked as having been approved on the Consent Agenda. The motion carried with a unanimous vote of those members present.

8. INDIVIDUAL CONSIDERATION

8A. Conduct a public hearing and take action to approve an ordinance on a request by Michael Flowers, Jackson Shaw, on behalf of property owners Nathan E. and Ida H. Bush, GWB Cherokee Land, LLC., Larry E. Hester, Homer B. Johnson Estate/Johnson Family Trust, McEntee Family Limited, Roger Dale and Vickie Darlene Trent, and Trent Family Partnership, Ltd., to: (1) Rezone approximately 171.09 acres from Form-Based Commercial Center (FB-CC) District and Form-Based Urban Village (FB-UV) District to Planned Development (PD) District for Light Industrial (M-1) and Limited Commercial/Retail (C-1) District for Mixed Commercial/Office/Residential Uses and approval of a Concept Plan to develop approximately 164.57 acres with light industrial uses; and (2) Amend the Comprehensive Plan if in conflict; and (3) Amend the Zoning Map of the City of Rowlett. The subject property is located east of the President George Bush Turnpike and north of Liberty Grove Road, situated in the James Hamilton Survey, Abstract No. 544, in the City of Rowlett, Dallas County, Texas.

The public hearing opened and closed with the following speakers:

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| 1. Michael Gallops | 10. Dustin Davison | 20. Carolyn Boros |
| 2. Laurieann Dygowski | 11. Brittany Belk-Smith | 21. Tim Bender |
| 3. Diane Lemmons | 12. Charles Garst | 22. Jon Gillen |
| 4. Susan Watkins | 13. Marvin Moss | 23. Michelle Boros |
| 5. Tim Ryan | 14. Felicia Harris | 24. Karen Donnelly |
| 6. Craig Johnston | 15. Bill Cornell | 25. Mick Donnelly |
| 7. Stanley Pollard | 16. Ty Kapoor | 26. Shane Shepherd |
| 8. Shaun Butterworth | 17. Bryan Hoy | 27. Ryan Hill |
| 9. Jeremy Smith | 18. Janice Cornell | 28. Terry Millican |
| | 19. Kevin Nichols | 29. Bryan Norfolk |
| | | 30. William Gietema |

After a short break at 9:48 p.m. the meeting reconvened at 10:01 p.m.

Mayor Pro Tem Grubisich and Laura Hallmark, City Secretary read into the record the comments received via email from the following:

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| 1. Richard Ross | 10. Donna Hale | 19. Mike & Kerri McEntee |
| 2. Elaine & Michael Merritt | 11. Steve Schrade | 20. Erika Martinez |
| 3. Mary Beth Tyler | 12. Judy McEntee | 21. Louisa Shafer Fassett |
| 4. Rita Brewer | 13. Matthew Stark | 22. Dale Mulkey |
| 5. Patsy Bowers | 14. Dirk Bitner | 23. Stacie & Jason Griffin |
| 6. Karon Clore | 15. Allison Gillen | 24. Angie (McEntee) Young |
| 7. Gail Fischer | 16. Anthony Scott | |
| 8. Susan Watkins | 17. Patricia Layer | |
| 9. Susan J. Kirby | 18. Susie Taylor | |

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| 25. Vincent Min | 29. Sharon Muston | 34. Christina Reis |
| 26. Greer Blair | 30. Sue & Richard Rabinowitz | 35. Dan Gleason |
| 27. Dreux & Vickie LeGros | 31. Gautam Poddar | 36. Gregory & LaVenía Dismore |
| 28. Tony & Cindy Perdue | 32. Chase Rodriguez | 37. Lexie Woodward |
| | 33. John Skola | |

Ms. Mauladad presented the information for this item. Appearing for the applicant: Michelle Wheeler & Michael Flowers – Jackson Shaw; Carole Colby – sound consultant; Pete Kelley & Dan Gallagher with Kimley Horne for traffic study and environmental impact.

A motion was made by Councilmember Brown, seconded by Deputy Mayor Pro Tem Sherrill, to approve the item as presented with the following conditions:

- 1) Submittal and approval of a Noise Modeling Report conforming to the requirements of Section 22, Article V of the City of Rowlett Code of Ordinances regarding noise for both day and night.**
- 2) No semi-tractors will idle or queue on any public rights-of-way abutting the site and all stacking or parking will be accommodated on site. Queuing and circulation shall be in general conformance with the included Circulation and Queuing Plan.**
- 3) Location and dimensions of bike lanes will be determined during Development Site Plan and Civil Plan review.**
- 4) The pavement design will be determined by standard engineering practices and principles based on the traffic load generated by this development, as determined by the final Traffic Impact Analysis (TIA).**

The motion passed with a vote of 5 in favor and 1 opposed (MARGOLIS). This item was approved as ORD-008-22.

- 8B.** Conduct a public hearing and take action to approve an ordinance on a request by Jeff Bethke, RLG Consulting Engineers, on behalf of property owner Amin Mawani, Rowlett Consolidated, LLC., regarding a Special Use Permit to allow a restaurant with a drive-thru on a portion of an approximately 0.81-acre property zoned Planned Development (PD) District with a base zoning of General Commercial/Retail (C-2) District. The subject property is located approximately 1,050 feet northeast of the intersection of Lakeview Parkway and Dalrock Road, being a portion of Lot 3, Block A of the 8900 Lakeview Parkway Addition, in the City of Rowlett, Rockwall County, Texas.

Mr. Koenig presented the information for this item. The public hearing opened and closed with no speakers.

A motion was made by Deputy Mayor Pro Tem Sherrill, seconded by Councilmember Brown, to approve the item as presented. The motion passed with a unanimous vote of those members present. This item was approved as ORD-009-22.

- 8C.** Conduct a public hearing and take action to approve an ordinance on a request by Danny Giesbrecht, 151 Coffee, on behalf of property owner Lakeview Parkway Ventures, LLC., regarding a Special Use Permit to allow a restaurant with a drive-thru on a portion of an approximately 5.52-acre property zoned General Commercial/Retail (C-2) District. The subject

property is located approximately 360 feet east of the intersection of Lakeview Parkway and Rowlett Road, being a portion of Lot 2, Block 1 of the A.S.P.I. No. 1 Addition, in the City of Rowlett, Dallas County, Texas.

Mr. Koenig presented the information for this item. The public hearing opened and closed with no speakers.

A motion was made by Councilmember Margolis, seconded by Councilmember Bell, to approve the item as presented. The motion passed with a unanimous vote of those members present. This item was approved as ORD-010-22.

TAKE ANY NECESSARY OR APPROPRIATE ACTION ON CLOSED/EXECUTIVE SESSION MATTERS

There was no action taken.

9. ADJOURNMENT

The meeting adjourned at 12:17 a.m.



Matt Grubisich, Mayor Pro Tem



Laura Hallmark, City Secretary

Approved on: April 19, 2022